

Editorial: King County right to put brakes on public defense cuts

King County was right to hit the pause button before cutting 40 jobs out of public defense

The Seattle Times

November 20, 2014

LAST week, King County was heading toward a shortsighted budget decision that would have stripped about 40 jobs out of its public-defense department.

For all the talk at the Metropolitan King County Council and the county executive's office about elevating the value of social justice, a layoff of 10 percent of the staff would have done the opposite.

To their credit, both the council and executive's office agreed at the last minute — with as much drama as can be squeezed out of a budget process — to back off and reconsider how many lawyers the county needs to represent poor people. That reconsideration should be vigorous, and should reflect the values our elected officials profess.

The backstory centers on a 2011 state Supreme Court ruling involving compensation for the county's four nonprofit contractors providing public defense. A settlement led King County to absorb around 400 employees of the four nonprofit public-defense agencies last year, with a strong outside advisory board to make budget recommendations.

It has been a complicated merger: four mid-sized law firms, with different case management systems, vigorously independent by culture and by history, suddenly mashed together under executive authority.

When it came time to write a 2015-2016 county budget, an interesting fact emerged. Under the old model of public defense, the four nonprofit agencies had managed their budgets so effectively they were able to hire about 40 more staff members than expected — to provide the best representation and to meet reasonable caseload standards.

Instead of keeping the staffing levels the same — and bumping up public defense spending to accommodate them — the county prepared a budget that required the same amount of work, but with 40 fewer attorneys and support staff.

Objections were raised: The advisory board, created in the merger to offer critiques of county public-defense spending, objected.

On Monday, the County Council heard them and delayed any layoffs pending a review. Executive Dow Constantine's budget savant, Dwight Dively, deserves credit for hearing the objections and reconsidering a budget he helped write.

The review is due in April. By then, a new case management system will also be in place at the Department of Public Defense, providing a fuller picture of attorneys' workloads.

Public defense is a vital, if not always convenient, element of a free and fair society. The county must ensure it has the right resources to do the work.

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